

**SPECIAL MEETING OF THE CITY COUNCIL
MONDAY, MARCH 16, 2015 4:00 P.M.**

BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was reconvened in the Council Chambers in City Hall at 4:00 p.m. on March 16, 2015, being the third Monday of said month, when and where the following things were had and done to wit:

Present: Council Members: De'Keither Stamps, President, Ward 4; Melvin Priester, Jr., Ward 2; Ashby Foote, Ward 1; Charles Tillman, Ward 5; Tyrone Hendrix, Ward 6 and Margaret Barrett-Simon, Ward 7. Directors: Gus McCoy, Chief Administrative Officer; Kristi Moore, City Clerk; Alices Lattimore, Deputy City Clerk and Kristen Blanchard, Deputy City Attorney.

Absent: Kenneth I. Stokes, Ward 3.

The meeting was called to order by **President De'Keither Stamps**.

Council Member Priester left the meeting at 4:31 p.m.

ORDER APPROVING CLAIMS NUMBER 6235 TO 5992, APPEARING AT PAGES 992 TO 952 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$4,276,110.91 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 6235 to 6526 appearing at pages 992 to 1037, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$4,276,110.91 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO ACCOUNTS PAYABLE FUND
08/09&/10 COPS TECHNOLOGY GRNT	3,773.22
09 TIF BOND FUND \$407,000	32,255.00
2005 G O REFUNDED B&I \$20,960	177,937.50
2008 GO STREET CONSTRUCTION FD	4,751.03
AMERICORP CAPITAL CITY REBUILD	3,054.53
CAPITAL CITY REVENUE FUND	62,748.36
CAPITOL STREET 2-WAY PROJECT	159,837.29
EARLY CHILDHOOD (DAYCARE)	13,124.14
EMPLOYEES GROUP INSURANCE FUND	154,753.51
FIRE PROTECTION	499,478.10
G O PUB IMP CONS BD 2003 (\$20M)	210.03
GENERAL FUND	1,900,296.15
HAIL DAMAGE MARCH 2013	5,696.01
HOME PROGRAM FUND	21,019.39
HOUSING COMM DEV ACT (CDBG) FD	2,048.79
LANDFILL/SANITATION FUND	112,459.81
MADISON SEWAGE DISP OP & MAINT	51.74
NCSC SENIOR AIDES	300.98
P E G ACCESS- PROGRAMMING FUND	1,309.80
PARKS & RECR. FUND	59,623.52

**SPECIAL MEETING OF THE CITY COUNCIL
MONDAY, MARCH 16, 2015 4:00 P.M.**

460

REPAIR & REPLACEMENT FUND	814.78
SEIZURE & FORFEITED PROP – FED	26.84
SEIZURE & FORFEITED PROP- STATE	10,029.43
TECHNOLOGY FUND	195,698.48
TITLE III AGING PROGRAMS	16,612.83
TRANSPORTATION FUND	63,711.26
VEHICLE POOL FUND	27,152.72
WATER/SEWER OP & MAINT FUND	684,255.56
WATER/SEWER REVENUE FUND	63,080.11

TOTAL **\$4,276,110.91**

Council Member Hendrix moved adoption; **Council Member Stamps** seconded.

President Stamps recognized **Trivia Jones**, Director of Administration, who provided the Council with a brief overview of the Claims Docket at the request of **President Stamps**.

Thereafter, **President Stamps** called for a vote on Claims Docket:

Yeas- Barrett-Simon, Foote and Stamps.

Nays- Hendrix and Tillman.

Absent- Priester and Stokes.

Council Member Priester returned to the meeting at 4:50 p.m.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 6235 TO 6526 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 6235 to 6526 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$4,528.01 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

IT IS FINALLY ORDERED that the following expenditures from the accounts payable fund be made in order to pay amounts transferred thereto from the payroll fund for payment of the payroll deduction claims authorized herein for payment:

FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		2,070,568.69
PARKS & RECR.		73,824.52
LANDFILL FUND		27,512.15
SENIOR AIDES		2,578.72
WATER/SEWER OPER. & MAINT		211,727.12
PAYROLL FUND		1,378.50
EARLY CHILDHOOD		35,223.94
HOUSING COMM DEV		6,653.56
TITLE III AGING PROGAMS		4,982.00
AMERICORP CAPITAL CITY REBUILD		10,275.84
TRANSPORTATION FUND		5,368.13

**SPECIAL MEETING OF THE CITY COUNCIL
MONDAY, MARCH 16, 2015 4:00 P.M.**

461

T-WARNER PA/GA FUND		6,602.10
PAYROLL	4,528.01	

TOTAL **\$2,456,695.27**

Council Member Barrett-Simon moved adoption; **Council Member Tillman** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

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ORDER APPROVING A VARIANCE REQUEST FROM THE FLOODPLAIN ORDINANCE FOR CONNYE GREEN, APPLICANT AND OWNER OF 167 WILDWOOD CIRCLE, TO CONSTRUCT AN ADDITION TO AN EXISTING RESIDENTIAL STRUCTURE AT THE EXISTING FLOOR ELEVATION 1 FOOT BELOW THE BASE FLOOD ELEVATION IN ZONE AE WHERE ADDITIONS MUST BE ELEVATED 18 INCHES ABOVE BASE FLOOD ELEVATION A MEMA MINIMUM STANDARD.

WHEREAS, on May 12, 2014, the City of Jackson adopted the Floodplain Ordinance, Sections 62-1, et seq., of the City of Jackson Code of Ordinances, as a requirement to continue to be a participating community in the National Flood Insurance Program; and

WHEREAS, Connye Green, the applicant and owner of a residential structure at 167 Wildwood Circle in Zone AE on the current flood insurance rate map, submitted construction plans for review and permitting to construct an addition to said residential structure at the current first floor elevation, which is below the base flood elevation; and

WHEREAS, Section 62-42(1) requires that the lowest floor of any addition to a residential structure in Zone AE be elevated at least 18 inches above the base flood elevation, which is also a MEMA minimum standard; and

WHEREAS, the applicant submitted a letter requesting a variance from Section 62-42(1) to allow the addition to be built at the current floor elevation which is one foot below the base flood elevation; and

WHEREAS, Section 62-63 requires that in reviewing a variance application, all technical evaluations, relevant factors, and standards specified in other sections of this article shall be considered and the following items shall be considered:

- (1) The evaluation must be based on the characteristics unique to that property and not be shared by adjacent parcels. The characteristics must pertain to the land itself, not to the structure, its inhabitants, or its owners;
- (2) Variances should never be granted for multiple lots, phases of subdivisions, or entire subdivisions;
- (3) The danger that materials may be swept onto other lands to the injury of others;
- (4) The danger of life and property due to flooding or erosion damage;
- (5) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner and the community;
- (6) The importance of the services provided by the proposed facility to the community;
- (7) The necessity of the facility to be at a waterfront location, where applicable;
- (8) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (9) The compatibility of the proposed use with existing and anticipated development;
- (10) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- (11) The safety of access to the property in times of flood for ordinary and emergency vehicles;

- (12) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (13) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges and culverts.

; and

WHEREAS, the floodplain administrator has reviewed the variance request and recommends denial based on three criteria:

- (1) The characteristics of the property are not unique to the property and are shared by adjacent parcels. The characteristics pertain to the structure and its owner and inhabitant.
- (2) Construction of an addition below the minimum requirement could result in a loss of pre-FIRM status (“grandfathered”) regarding flood insurance premiums, and could result in flood insurance premiums that could negatively affect any future real estate transactions.
- (3) The variance request is from a MEMA minimum requirement.

IT IS THEREFORE, ORDERED that Connye Green is hereby approved for a variance from the Floodplain Ordinance to construct an addition to the residential structure at 167 Wildwood Circle at the current floor elevation where such addition is required to be elevated 18 inches above the base flood elevation.

IT IS FURTHER ORDERED that in accordance with Section 62-65, the floodplain administrator shall provide notification of the variance as required by ordinance and by MEMA minimum requirements:

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

- (1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage; and
- (2) Such construction below the base flood level increases risks to life and property.

A copy of the notice shall be recorded by the floodplain administrator in the Office of the Hinds County Chancery Clerk, First Judicial District, and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

The floodplain administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to the Federal Emergency Management Agency.

Council Member Hendrix moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

President Stamps requested that Council consider an Agenda Item that had not been submitted to the City Clerk by the agenda deadline of 3:00 p.m., Wednesday, March 11, 2015, as mandated by Sec. 2-63 of the Jackson Code of Ordinances.

President Stamps moved, seconded by **Council Member Barrett-Simon** to allow the item be added to the agenda. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

President Stamps requested that the Clerk read the Resolution:

**RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
ENCOURAGING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES
ASSOCIATION TO ALLOW PARTICIPATION BY MISSISSIPPI HIGH
SCHOOLS.**

WHEREAS, the City Council of Jackson, Mississippi recognizes that excellence and success in competitive sports requires athletic talent, strenuous practice, team effort and a winning spirit, nurtured by great coaching and strategic planning; and

WHEREAS, the Callaway High School boys basketball team and Olive Branch girls basketball team were ranked number one in the Clarion Ledgers' boys and girls Super 10 and both teams received an invite for the Dick's Sporting Goods High School Nationals, which will take place at New York City's Madison Square Garden from April 2-4, 2015. To qualify for the Dick's Sporting Goods High School Nationals must meet the following requirements:

1. A school must be ranked in USA Today's Super 25
2. A school must win its state championship
3. A school must receive approval from their state high school athletics association.

Permission has not been granted by the Mississippi High School Activities Association due to a league rule that does not allow participation in games or tournaments once the season has ended; and

WHEREAS, last week the Callaway High School boys basketball team won the state championship and are the first boys program to win four straight championships in the post segregation era. The championship game officially ended the season; and

WHEREAS, Callaway's boys' basketball team is currently ranked No. 4 in the country by USA Today, and Malik Newman is one of the nation's top ranked senior basketball players. Callaway coaches are appealing to the State Executive Board to grant an exception to the Mississippi High School Activities Association's rule that bans teams from playing in postseason tournaments. The team has been given a deadline extension to 5 p.m. Tuesday to accept the invitation to play in Dick's Sporting Goods High School Nationals.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI that the City of Jackson does find that this opportunity for national exposure should be embraced and that an exemption by Mississippi High School Activities Association should be granted that would allow participation by Mississippi High Schools.

Council Member Tillman moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

SPECIAL MEETING OF THE CITY COUNCIL
MONDAY, MARCH 16, 2015 4:00 P.M.

464

The meeting was closed in memory of the following individuals:

- Dr. Jean Chamberlain
- B. Carroll Miazza

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Meeting to be held at 6:00 p.m. on Tuesday, March 24, 2015 and at 5:04 p.m., the Council stood adjourned.

ATTEST:

APPROVED:

Kristi Moore
CITY CLERK

[Signature], 3.2.15
MAYOR DATE
